

Formal issues:

The Examiner did not point out any formal issues in the pending Official Action.

Rejections based on prior art:

1. Claims 1-26 were rejected under 35 U.S.C. § 103(a) as being obvious over Ohtake in view of Shen et al.

Applicants respectfully maintains that Ohtake fails to teach or even suggest the subject matter set forth in independent claims 1, 5, 10, 16, 20, and 24, particularly with respect to determining an optimum paging channel power based on a pilot signal strength of a pilot signal received by a mobile station.

Ohtake (particularly with respect to Figure 12A, as noted by the Examiner) discloses a method for controlling an initial talk channel transmission power (see, for example, column 9, lines 59-67). Ohtake does not disclose or suggest determining an optimum paging channel power in accordance with a pilot signal strength, or transmitting a paging message at the optimum paging channel power, as claimed.

The Examiner acknowledges that Ohtake is deficient as discussed above.

In order to remedy the deficiencies of Ohtake, the Examiner cites column 1, lines 54-63 of Shen et al. Unfortunately, Shen et al. fail to remedy the deficiencies of Ohtake.

Shen et al. is directed to controlling interference in a CDMA network using a plurality of narrow antenna beams. They make no teaching or suggestion (even in the portion cited by the Examiner) regarding the control of paging channel power or a correlation between optimum paging channel power and a pilot signal strength, as in the presently claimed invention.

Accordingly, even in combination, Ohtake and Shen et al. fail to arrive at the presently claimed invention.

In view of the foregoing, the Examiner has failed to show that one of ordinary skill would have obviously combined the teachings of Ohtake and Shen et al., to control paging channel power as in the presently claimed invention. Accordingly, claims 1, 5, 10, 16, 20, and 24 are patentably distinguishable over Ohtake and Shen et al., as are the respective claims noted in connection with this rejection depending therefrom. Withdrawal of this rejection is therefore believed appropriate.

Ohtake and Shen et al. also fail, alone or in combination, to teach or suggest:

determining optimum paging channel power in accordance with, in pertinent part, forward loading of the base station, as in claims 2, 7, 11, 17, 21, and 25;

determining initial traffic channel power based on pilot signal strength, as in claims 3, 8, 14, 18, 22, and 26;

a controller supplying information indicative of an optimum paging channel power, as in claim 6; and

determining the optimum paging channel power in a base station, as in claim 12, or in the alternative, in the mobile switching center, as in claim 13.

In view of the foregoing, Applicants respectfully submit that the Examiner has failed to make a *prima facie* case of obviousness based on Ohtake. Withdrawal of this rejection is therefore believed appropriate.

2. Claims 4, 9, 15, 19, and 23 were rejected under 35 U.S.C. § 103(a) as being obvious over Ohtake in view of Shen et al. Applicants respectfully traverse.

Claims 4, 9, 15, 19, and 23 all depend from independent claims which are patentable over Ohtake alone, as discussed above. Shen et al. provide no teaching or suggestion in combination with Ohtake that would overcome the deficiencies of Ohtake alone, as discussed above. Accordingly, the respective independent claims from which claims 4, 9, 15, 19, and 23 depend are still patentable over the combination of Ohtake and Shen et al. Claims 4, 9, 15, 19 and 23 are therefore patentable by their dependence therefrom.

In view of the foregoing, claims 4, 9, 15, 19, and 23 are patentably distinguishable over the relied upon prior art. Withdrawal of this rejection is therefore believed appropriate.

Conclusion:

In view of the foregoing, Applicants respectfully submit that all pending claims are in condition for allowance, and that this application as a whole is in condition for allowance. Early and favorable notice to this effect is therefore solicited.

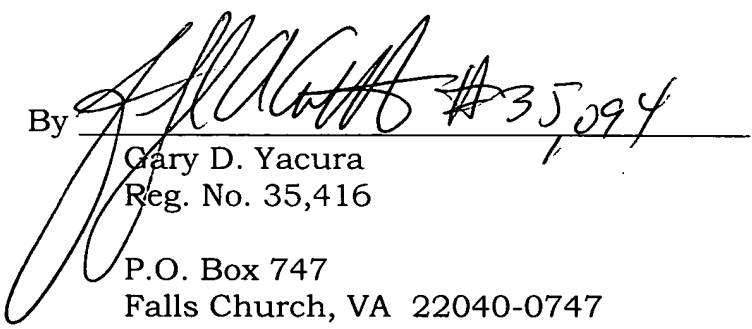
In the event that any matters remain at issue in the application, the Examiner is invited to contact Mike S. Ryu, Reg. No. 38,604 at (703) 205-8000 in the Northern Virginia area, for the purpose of a telephonic interview.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 12-2325 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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By


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